

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>KEITH BRANCH,</b>	:	<b>CIVIL ACTION NO. 1:20-CV-2448</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>DEPARTMENT OF CORRECTIONS,</b>	:	
<b>PREA ALLEGATIONS, BUREAU OF</b>	:	
<b>TREATMENT SERVICES, and</b>	:	
<b>MEDICAL DEPARTMENT,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 30th day of June, 2021, upon consideration of plaintiff's applications for leave to proceed *in forma pauperis* (Docs. 5, 10, 13), the prisoner account statement (or institutional equivalent) (Doc. 9), plaintiff's motion for extension of time to file the prison account statement (Doc. 12), and the amended complaint (Doc. 28), and in accordance with the memorandum of the same date, it is hereby ORDERED that:

1. Plaintiff's applications for leave to proceed *in forma pauperis* (Docs. 5, 10, 13) are GRANTED.
2. Plaintiff's motion for extension of time (Doc. 12) is DENIED AS MOOT.
3. Plaintiff shall pay the full filing fee of \$350.00 based on the financial information provided in the application to proceed *in forma pauperis*. The full filing fee shall be paid regardless of the outcome of the litigation. Pursuant to 28 U.S.C. § 1915(b)(1) and (2), the Superintendent/Warden, or other appropriate official at plaintiff's place of confinement, is directed to deduct an initial partial filing fee of 20% of the greater of:
  - a. The average monthly deposits in the inmate's prison account for the past six months, or

- b. The average monthly balance in the inmate's prison account for the past six months.

The initial partial filing fee shall be forwarded to the Clerk of the United States District Court for the Middle District of Pennsylvania, P.O. Box 983, Harrisburg, Pennsylvania, 17108, to be credited to the above-captioned docket number. In each succeeding month, when the amount in plaintiff's inmate trust fund account exceeds \$10.00, the Superintendent/Warden, or other appropriate official, shall forward payments to the Clerk of Court equaling 20% of the preceding month's income credited to plaintiff's inmate trust fund account until the fees are paid. Each payment shall reference the above-captioned docket number.

4. The Clerk of Court is DIRECTED to send a copy of this order to the Superintendent/Warden of the institution where plaintiff is presently confined.
5. The amended complaint (Doc. 28) is DEEMED FILED.
6. The amended complaint (Doc. 28) is DISMISSED WITHOUT PREJUDICE.
7. Plaintiff is granted leave to file a second amended complaint within 21 days from the date of this order. The amended complaint shall fully comply with Rules 8 and 20 of the Federal Rules of Civil Procedure, shall be direct and concise, and shall stand alone without reference to any other document filed in this matter. See FED. R. CIV. P. 8(e). Plaintiff is strictly cautioned that the inclusion of separate, unrelated claims and parties will be considered a failure to comply with an order of court. See FED. R. CIV. P. 20.
8. Failure to comply with this order shall be construed as an indication that plaintiff is no longer interested in proceeding with the action and shall result in a dismissal without prejudice.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner  
United States District Judge  
Middle District of Pennsylvania